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Counsel for Defendant DIAZ CARRILLO  
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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-09-01076-PJH (LB)
	)	
12 Plaintiff,	)	STIPULATION TO CONTINUE;
	)	<del>PROPOSED</del> ORDER CONTINUING
13 vs.	)	CASE AND EXCLUDING TIME UNDER
	)	THE SPEEDY TRIAL ACT
14 ARTURO DIAZ CARRILLO,	)	
	)	
15 Defendant.	)	
_____	)	
16		

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the TRIAL  
18 OR MOTIONS SETTING OR DISPOSITION HEARING date of September 10, 2010 presently  
19 scheduled at 10:00 a.m., before the Hon. Laurel Beeler, be vacated and re-set for October 18, 2010  
20 at 10:00 a.m., before the Oakland Duty Magistrate, for TRIAL OR MOTIONS SETTING OR  
21 DISPOSITION HEARING.

22 The reason for this request is that Ellen Leonida, the undersigned Assistant Federal Public  
23 Defender, recently assumed representation of Mr. Diaz-Carrillo and requires additional time to  
24 review the discovery and conduct any necessary investigation. Defense counsel is also unavailable,  
25 due to pre-planned leave, between September 13, 2010 and October 1, 2010.  
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1 The parties agree and stipulate that the time until October 18, 2010 should be excluded,  
2 under 18 U.S.C. §3161(h)(7)(A) because the ends of justice served by the granting of the continuance  
3 outweigh the best interests of the public and the defendant in a speedy and public trial. The  
4 continuance is necessary to accommodate counsel's preparation efforts.

5  
6 Date September 8, 2010

\_\_\_\_\_  
/s/  
Ellen V. Leonida  
Assistant Federal Public Defender  
Counsel for defendant DIAZ CARRILLO

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8  
9  
10 Date September 8, 2010

\_\_\_\_\_  
/s/  
Trevor L. Rusin  
Assistant United States Attorney

11  
12 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)  
13 within this efiled document.

\_\_\_\_\_  
/S/ Ellen V. Leonida  
Counsel for Defendant Diaz-Carrillo

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to October 18, 2010 at 10:00 a.m., before the Oakland Duty Magistrate, and that time is excluded from September 10, 2010 until October 18, 2010 pursuant to 18 U.S.C. § 3161(h)(7)(a).

IT IS SO ORDERED.

September 9, 2010  
Date

  
\_\_\_\_\_  
LAUREL BEELER  
UNITED STATES MAGISTRATE JUDGE